

**Montgomery County Councilmember George L. Leventhal**  
**“An Action Strategy for Affordable Housing”**  
**Remarks at Tifereth Israel Congregation**  
**January 16, 2005**

Let me begin by saying how happy I am to see the AtOne coalition of synagogue social justice committees come together, and thanks also to Jews United for Justice and the Tifereth Israel Social Action Committee. You are truly performing a mitzvah today by considering how our collective strength as separate congregations can bring about greater equity and opportunity for everyone in our community. In particular, I want to give a “shout out” to Karen Safer, Suzanne Mintz, Rabbi Gerry Serotta and others from my own synagogue Temple Shalom who have helped to spearhead this effort.

The AtOne Coalition has already had its first success by stimulating dozens of e-mails to the Montgomery County Council last fall as we were preparing to consider revisions to the moderately priced dwelling unit or “MPDU” program. These positive e-mails came at the same time as many other e-mails from neighborhood organizations opposing the revisions to our zoning code that we eventually passed. It was very important that we heard a call to conscience on behalf of those who need below-market-rate housing. Those e-mails communicated the right message at the right time.

The MPDU program was a groundbreaking initiative when Montgomery County first adopted it in 1974. Other jurisdictions around the country have imitated it, often under the name “inclusionary zoning.” The simplest description of it is that new housing developments must include a certain percentage of units that are sold or rented at a price below the market rate to low or moderate-income families.

We needed to revise our MPDU law because over time, the supply of price-controlled units had dwindled, from a high of 4,300 owner-occupied homes in 1990 to 1,500 owner-occupied units today, and from a high of 2,400 rental MPDUs in 1989 to only 650 price-controlled rental units today. The number dwindled because the price controls expired after 10 years for owned units and after 20 years for rental units. Contrast these numbers – 1,500 owner-occupied and 650 rental units – with the approximately 4000 teachers, more than 750 firefighters and 240 police officers who work in Montgomery County but don’t live there. Most of these employees presumably would like to live where they work but can’t afford to do so. And these units have people living in them – the waiting list for new or vacant MPDUs is enormous. Clearly, the MPDU program fulfills only a small portion of the need for moderately priced housing.

I co-sponsored and ended up voting for all of the revisions to the MPDU law and the zoning law that passed the Council at the end of November. Among other provisions, the new MPDU law will lengthen the period of time during which these units remain under price controls, to 30 years for owner-occupied homes and 99 years for rental units. It also requires builders to include MPDUs in any development with 20 or more units (the previous requirement was 35 or more). The zoning law revisions will give the Planning

Board discretion to allow greater height and density and modify other site planning requirements, if needed to provide more affordable housing units. The zoning law revisions were particularly controversial, and I had to think carefully about them before ultimately deciding to support them. Increased housing density is always controversial because of valid concerns over increased traffic and overcrowded schools. In addition, homeowners' organizations were concerned that the zoning law changes might override master plans, undermining the lengthy process of public input that goes into those plans. However, under the changes we adopted, any action by the Planning Board to increase MPDUs must still be "substantially compliant" with master plans, and any consideration by the Planning Board of changes to specific site requirements will be fully open to the public.

There remains one significant issue regarding MPDUs that I feel is unresolved. During our debate on the MPDU bill, I offered an amendment, which did not pass, to eliminate altogether the "buyouts" that enable developers, under certain circumstances, to make a cash payment to the Housing Initiative Fund instead of providing MPDUs on site. I feel that these buyouts have harmed public support for the MPDU program and could lead to certain parts of the county – especially at the Bethesda and White Flint Metro stations – becoming exclusively high-income, which is precisely the opposite of the mixed-use transit-oriented development that we should be seeking. My approach would have provided a subsidy for condo fees to allow low- and moderate-income families to reside in the new high-priced condominiums near these Metro stations. However, the Director of Housing and Community Affairs argued that this would cost too much and the dollars could be better used to create more rental housing in other locations. I continue to disagree with this, because I believe my amendment would only have obligated the county to a few thousand dollars each year in subsidies, out of a Housing Initiative Fund that is currently at \$17 million, and growing, but my point of view did not prevail. This condo fee issue is going to bear close watching in the coming years, because it could be the obstacle to economic integration in our downtown areas. As I said during the Council's debate, do we want Bethesda to become Beverly Hills?

Although the Council did not agree to ban buyouts altogether, the new law significantly restricts developers' ability to buy out of the MPDU obligation. Under the new law, buyouts will be allowed only if condominium fees would be so high that moderate-income families could not afford to live in the condo, or if environmental constraints would preclude building the additional affordable units. The decision to allow buyouts will now be made by a three-member committee consisting of the Director of Housing and Community Affairs, the Chairman of the Planning Board and the Executive Director of the Housing Opportunities Commission, rather than just the Director of Housing and Community Affairs as under prior law. This is important because many of us felt the Housing Department had allowed too many buyouts under the previous, looser requirements. Finally, the Council also voted to reconsider the buyout provisions in a year after the County Executive submits a new proposal to restrict buyouts even further. So make sure to check in with me again at the end of 2005, when I expect there will be another debate on the buyout issue.

As I said, with the passage of these MPDU revisions, I believe that this coalition has already achieved an important victory. Having said that, I know that a focus for today's discussion is – what more can we, as conscientious, involved Jews do? We all know there is a serious affordable housing shortage. What can we do about it?

Right now, there are debates taking place over affordable housing in every part of Montgomery County. The county is looking at several county-owned sites, including surplus school sites, to build affordable housing, but every single one of them is controversial. Every time the County Council considers a new Master Plan, there is debate over each of the undeveloped sites that still exist, and how much housing will be built on them. Without getting into too many specifics, let me just say: read the Post, read the Gazette. Read carefully. Go to [montgomerycountymd.gov](http://montgomerycountymd.gov) and check out the County Council's weekly agenda or to [mc-mncppc.org](http://mc-mncppc.org) for the Planning Board's agenda. If you hear that a proposed building or a proposed development will provide more affordable housing and you hear that a particular neighborhood or civic organization is opposed, that's a dialogue you can join. If you live next door to a proposed development, your voice is especially powerful when it is raised with the County Council or the Planning Board or the School Board. Let me tell you, the voices of neighbors who support affordable housing in their own neighborhood are rare. Overwhelmingly, it is the opponents who we hear from the loudest and the most frequently.

And the truth is, there is a price to be paid for increasing housing density. We are the victims of our own success. Because this is a great place to live, a lot of people want to live here and so we suffer from traffic congestion and overcrowded schools. Those are real problems and I do not minimize the effect that new housing construction can have on our environment and our quality of life. On the other hand, the population of this area is going to continue to grow and we are going to continue to need more housing. That is a fact of life.

As community leaders, we need to work with our neighbors to welcome, rather than resist, affordable housing. We are talking about changing people's attitudes. It will not happen overnight. There is no quick fix. Synagogues are an outstanding place to have this conversation, in the abstract and in the specific. This coalition, working through Tikkun Olam and social justice committees, Men's Clubs, Sisterhoods, youth organizations and umbrella organizations like the Jewish Community Relations Council and the Federation, has great potential to change attitudes among the public. And there are other organizations, like Community Ministries and Action in Montgomery, that bring other faith communities together beyond the Jewish community. I believe the faith community is our best ally in this effort. Houses of faith speak directly to their members' conscience. When we worship, our heads are in a place where we can think beyond ourselves, as Martin Buber said, moving from the "I" to the "Thou." When people hear about this issue through the prism of social justice and equity, it will affect the way they react when they get a flyer from their homeowners' association protesting that new development, or when they hear from a neighbor about "those people" moving in.

Another area where this coalition can have an impact is on budgets. The federal Department of Housing and Urban Development, the state Department of Housing and Community Development and the county Department of Housing and Community Affairs and Housing Opportunities Commission all provide necessary funds for affordable housing and all need public support in the next few months as the federal, state and local budgets are considered in their respective legislative bodies.

Earlier, I mentioned the “holy trinity” of people who need affordable housing: teachers, policemen and firefighters. This has become a cliché among politicians: teachers, policemen and firefighters. We all talk about them because they are the best-known and most visible examples of people who contribute to our communities, upon whom we depend to educate our children and protect our lives and property, but whom we often don’t pay enough to live in our community. Of course our efforts are not exclusively directed at teachers, policemen and firefighters. Of course we also acknowledge the need for housing for nurses, bank tellers, warehouse employees and other people who play a vital role in our economy and our community but who fall well below the income needed to own a home in Montgomery County. And beyond that, there is a critical need to address homelessness, and I want to close on that note.

In 2002, the Montgomery County Coalition for the Homeless prepared a ten-year strategy called “Homelessness: Beginning to End,” which was endorsed by County Executive Doug Duncan. It called for the development of 100 new housing units per year to serve the poorest residents of the county. Most of these units were planned as Personal Living Quarters, or PLQs, which combine a place to live, usually a single room, with counseling services to help the formerly homeless address their substance abuse or mental illness and teach them life skills. The good news is that since the adoption of this plan, a project has gotten underway in Gaithersburg called Seneca Heights that provides PLQs for 40 single adults. The bad news is that on any given day, 1500 people are homeless in Montgomery County. The Coalition for the Homeless believes we could effectively wipe out chronic homelessness if we could bring 800 PLQs on line in the county. Forty down, 760 to go. We have no idea where those 760 units will be located. There are not many neighborhoods that welcome homeless projects. There is another project under development in Bethesda, on Hampden Lane, that will provide a dozen PLQs, and that is the only new project on the drawing table right now.

I have been talking with the Planning Board about possibly revising the zoning law to allow PLQs in commercial and light industrial zones. As I look at where the future of affordable housing in Montgomery County will be, I look up. We have so many one-story strip malls and other commercial and industrial structures that could accommodate housing on top. One problem is that our parking requirements make it difficult to meet the parking needs of the business as well as the parking needs of the housing unit. But people who are struggling to leave homelessness behind rarely own cars. We should not require a one-to-one parking ratio for Personal Living Quarters and I want to do something about that. You can count on one thing: any legislation to increase the availability of housing for the poorest among us will be controversial and will require community support.

Synagogues can play an active role in ameliorating our homeless problem by supporting homeless shelters through donations of food, clothing and money, as I know my own synagogue does, but also by considering whether synagogue-owned land can be used and by helping to identify other available land that can be converted to shelter space or PLQs.

Again, there are no easy solutions. We are talking about a population with many hard-core substance abuse, mental and other health problems. As Chairman of the Health and Human Services Committee, I am working to establish an assertive community treatment program to intervene in the lives of panhandlers who beg for help on street corners. This to me is a symptom of societal disorder. If someone is literally begging for help publicly, can't we get them help in a county as wealthy as ours? I hope we can.

On this weekend, in the middle of January, as we celebrate the birthday of the Rev. Dr. Martin Luther King, we are also halfway between the holiday of Sukkot, when we are commanded to build a temporary shelter to recall our ancestors' days as nomads, and Passover, when we retell the story of how our people were homeless in the desert for 40 years before we finally arrived at the Promised Land. What an appropriate time to consider our obligations to others who live on the fringe of society, who wander with no place to rest.

I appreciate the opportunity to share these thoughts with you today and I look forward to working closely with this coalition in the future.